

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

- - - - -
VIVIAN BERT, et al., :
 :
 Plaintiffs, :
 vs. : Case No. C-1-02-467
 : (Mag. Judge Hogan)
 AK STEEL CORPORATION, :
 :
 Defendant. :
- - - - -

Deposition of: DONALD K. EDWARDS, SR.

Taken: By the Defendant

Date: Tuesday, April 24, 2007

Time: Commencing at 9:15 AM

Place: Taft, Stettinius & Hollister
1800 US Bank Center
425 Walnut Street
Cincinnati, Ohio 45202-3957

Before: Tracy L. Allen, RPR
Notary Public - State of Ohio

1 APPEARANCES:

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10 On behalf of the Defendant:

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15 Also present:

16 Tracy White - AK Steel.

17 - - -

18
 19 I N D E X

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1 DONALD K. EDWARDS, SR.
2 being by me first duly cautioned and sworn, deposes
3 and says as follows:

4 CROSS-EXAMINATION

5 BY MR. ROGERS:

6 Q. Would you please state your name for
7 the record, sir.

8 A. Donald Edwards, Senior.

9 Q. Donald Edwards, Senior. Where do you
10 live, sir?

11 A. Middletown, Ohio.

12 Q. What's the address there?

13 A. 801 Crawford Street.

14 Q. How long have you lived there?

15 A. Six years.

16 Q. Okay. What's your date of birth?

17 A. 10/4/60.

18 Q. Are you married?

19 A. Yes.

20 Q. How long have you been married?

21 A. 20 years.

22 Q. Congratulations.

23 A. Thank you.

24 Q. Enjoy it. Do you have children?

25 A. Yes.

1 MR. KAMMER: I'm surprised he
2 remembered.

3 Q. It's always a trick question when I
4 ask the men. Yes.

5 Do you have children?

6 A. Yes.

7 Q. How old are they?

8 A. I have a -- I got to get these right
9 now. 24, 22, 20, 11, nine, three -- no. Four, and
10 one.

11 Q. Have any of the older children ever
12 worked at AK Steel?

13 A. No, not that I know of.

14 Q. Okay. Are you on any medications
15 today?

16 A. No.

17 Q. Did you not take any medications that
18 you normally take?

19 A. No.

20 Q. Is there any reason physically today,
21 mentally why you can't give good, clear answers?

22 A. No.

23 Q. Okay. Have you ever been -- sir, I
24 don't mean to offend you. It's a standard question.
25 Have you ever been convicted of any crime?

1 A. Yes.

2 Q. And what is that?

3 A. It was domestic violence.

4 Q. When was that?

5 A. Eighty-- I can't -- sometime in '80.

6 I can't remember exactly.

7 Q. Was that in Butler County?

8 A. Yes.

9 Q. Have you been convicted of anything
10 else?

11 A. Yes. I have another one. I have one
12 more. I have another one. It was -- I guess it was
13 through Montgomery County.

14 Q. What was that offense?

15 A. It was alleged that I took something.

16 Q. And --

17 A. But they -- it was -- it was -- I had
18 to go through the courts. And they took me through
19 whatever, I can't -- some class, and I was supposed
20 to get it expunged.

21 Q. Was it expunged?

22 A. I hadn't filled the papers out. They
23 gave me all the stuff to send them. I just haven't
24 returned it.

25 Q. Was that a misdemeanor or a felony, do

1 you know?

2 A. I think it was a misdemeanor I think.

3 Q. Okay. Do you know what you were
4 alleged to have taken?

5 A. Actually, I found a wallet. I guess
6 it was on the camera. And I went out the store with
7 it. And they said that's how it became that I took
8 it.

9 Q. Have there been any other criminal
10 offenses?

11 A. None that I can recall.

12 Q. Okay. What is your educational
13 background?

14 A. High school graduate.

15 Q. Middletown High School?

16 A. Yes.

17 Q. What year did you graduate?

18 A. '80.

19 Q. Did you attend college at all?

20 A. Yeah. I went two months.

21 Q. Was that to Grambling?

22 A. Yes.

23 Q. Why did you quit Grambling?

24 A. Actually, I was going to transfer to
25 another school and I was going to Michigan. Then

1 once I got up to Michigan I got up there and I said
2 well, I'll just wait, because it just like it was --
3 it messed me up, so then I never really went back,
4 but I went to Michigan but I never enrolled there.

5 Q. Okay. How long then have you lived in
6 Middletown since you left Michigan? Have you lived
7 in Middletown the rest of your life?

8 A. No. I actually live in Hamilton.

9 Q. Okay.

10 A. '89. '89 into '90.

11 Q. Then from '94 have you lived in
12 Middletown?

13 A. I've been back to Middletown since
14 '99.

15 Q. Okay. Where are you employed today?

16 A. Middletown Community Center.

17 Q. How long have you worked there?

18 A. Since September of last year.

19 Q. Is that 40 hours a week?

20 A. No.

21 Q. How many hours?

22 A. It's 20.

23 Q. 20 hours a week?

24 A. Yes.

25 Q. What's your rate of pay?

1 A. Nine dollars an hour.

2 Q. Are there any benefits?

3 A. No. It's, actually, it's not -- I'm
4 actually not considered a city employee. I'm
5 actually considered a vendor, because they don't have
6 any money. You know Middletown's poor.

7 Q. I do.

8 A. They always crying we don't have any
9 money.

10 Q. Okay. So they pay you as an
11 independent contractor?

12 A. Yes. That's the only way that they
13 could get me on.

14 Q. Okay. And that's the City of
15 Middletown pays you. Is that correct?

16 A. Yes.

17 Q. What was your job before you worked
18 for the City of Middletown beginning in September of
19 2006?

20 A. I worked at Kroger's.

21 Q. And when did you work for Kroger's,
22 from when to when?

23 A. Actually, from -- I didn't work there
24 long. It was -- I can't remember the month. The end
25 of May. May into June.

1 Q. What was your rate of pay there?

2 A. Six dollars and fifty to seventy-five
3 cents. I can't remember exactly.

4 Q. Why did you leave Kroger?

5 A. Again, an incident that happened that
6 I was assaulted, but I was in between their terms of
7 90 days. And in order to keep this other guy they
8 had to let me go, because he had been there for I
9 guess maybe ten years.

10 Q. What Kroger store did you work at?

11 A. The Liberty, is it -- in Monroe. The
12 one in Monroe.

13 Q. Monroe, Liberty Township, somewhere
14 down there?

15 A. Yes. The one on 63.

16 Q. Is that the new one?

17 A. Yes.

18 Q. Yes. Okay. Where did you work before
19 that?

20 A. Lund International.

21 Q. Lund?

22 A. Lund International.

23 Q. Can you spell Lund?

24 A. L-u-n-d.

25 Q. How long -- you worked for Lund from

1 when to when?

2 A. From March to the Kroger's. Until the
3 time I went to Kroger's.

4 Q. March of '06 to May of '06?

5 A. Yes.

6 Q. And what was your rate of pay at Lund?

7 A. Nine an hour.

8 Q. And what was your job responsibility
9 at Lund?

10 A. Machine operator.

11 Q. What kind of machine did you operate?

12 A. It was like a press where you cut out
13 materials for like carpet for the mats in the cars.

14 Q. And why did you leave the employment
15 of Lund?

16 A. They say that -- how did they put it?
17 They said that I had too many incidents with the BWC.
18 Like getting hurt. Then I had to take days off. So
19 it came down to I guess they said the days that I was
20 off that I was hurt.

21 Q. Okay. What was your job
22 responsibility at Kroger?

23 A. Night clerk.

24 Q. Did you run the cash register or --

25 A. No. I was lead stock.

1 Q. Okay. And what are your job duties
2 for City of Middletown?

3 A. Actually, basic general cleaning,
4 setting up for, like, events they have.

5 Q. What was your job before Lund?

6 A. It was Ohio transportation.

7 Q. For ODOT?

8 A. Yes.

9 Q. How long did you work for ODOT, from
10 when to when?

11 A. From 2001 to '04, November.

12 Q. And what were your job
13 responsibilities for ODOT?

14 A. This was highway. I was a highway
15 worker, which we did, like, cut the highway down the
16 lines, cut the grass lines, cut down trees. Basic
17 construction work, roadwork.

18 Q. Why did you leave the employment of
19 ODOT?

20 A. I needed to have a CDL. And at that
21 time it was going on when I was trying to get the
22 CDL, I never got my CDL so they never hired me back.

23 Q. Were you unemployed then from 2004
24 till March of 2006?

25 A. Basically, I had like -- I do like

1 side work. I do like grass. I cut things. I do
2 like side work for people in between there.

3 Q. What was your job before ODOT?

4 A. Fairfield Center.

5 Q. And when did you work for Fairfield
6 Center, from when to when?

7 A. Started in like '89 to 2000. End of
8 2000.

9 Q. What were your job responsibilities at
10 Fairfield Center?

11 A. Medical supply clerk where I would
12 deliver supplies to like the different facilities.
13 It was like seven buildings.

14 Q. Why did you leave Fairfield Center's
15 employment?

16 A. It was a personal thing. My mom and
17 her mom -- we came back to Middletown. I was living
18 in Hamilton and I came back here. So it was a
19 personal thing so I just left there.

20 Q. What do you mean "it was a personal
21 thing"?

22 A. My mom passed away in between the
23 time. And her mom was real sick. My wife's mom was
24 real sick. So we came back to Middletown. And then
25 we tried to deal with that.

1 Q. Between 1989 and 2006 have you had any
2 other employment other than what you've told me?

3 A. None that I can recall, but I think I
4 done had little jobs through, but I can't -- they
5 weren't long.

6 I think I actually worked at AK for
7 MIH, now that I think about it. I didn't write that
8 down on my paper. Now that I'm thinking it was
9 between there. I worked out there. Like janitor
10 work.

11 Q. AK Steel?

12 A. Yes.

13 Q. That was in December of 1981. Is that
14 correct?

15 A. No. This has been --

16 Q. More recently?

17 A. I think between 2004 and '5. I can't
18 remember exact dates.

19 Q. Who was your actual employer?

20 A. MIH.

21 Q. What does MIH stand for?

22 A. I can't remember what that stands for.
23 It's like a, I guess it's a janitorial. We cleaned
24 up like the locker rooms and the different things out
25 there.

1 Q. Why did you leave MIH's employment?

2 A. I was trying to just get on and try to
3 find a better job, so I just left there.

4 Q. Okay.

5 A. And plus they -- a lot of things was
6 going wrong with them that I don't want to discuss.

7 Q. What jobs have you had where you've
8 had manufacturing experience?

9 A. I worked at -- let me think of the
10 name. I can't think of the name of the place that I
11 worked at. It was out there in Monroe.

12 What's the name of that place? It was
13 a German place out there.

14 Q. In Monroe?

15 A. Yeah. Right there on Dixie Highway.

16 Q. When did you work there?

17 A. Eighty-- it was actually through
18 Taylor's, but we were working out there through them.
19 It was Taylor's. It was called Taylor's. And we was
20 working through them through there.

21 Q. How long did you work out in this
22 German plant in Monroe?

23 A. Maybe a year.

24 Q. What were your job duties for the
25 maybe a year?

1 A. Just basically manual labor.

2 Q. What do you mean "manual labor"?

3 A. Whatever they had for us to do that
4 day.

5 Q. I mean, did you run any machines?

6 A. No. I didn't actually run the
7 machines, no.

8 Q. Have you had any other jobs where
9 you've had what you claim to be manufacturing
10 experience?

11 A. Yeah, but I can't think of the name of
12 the place right offhand, what the name of it is.

13 Q. Where was it?

14 A. It was on Route 4, and since then they
15 moved to Franklin.

16 Q. When was this?

17 A. In the '80s. I can't remember
18 exactly.

19 Q. How long did you work in this place on
20 Route 4 in the '80s?

21 A. Three months I think. Somewhere in
22 between three months.

23 Q. What were your job duties at this
24 place on Route 4?

25 A. I operated a machine.

1 Q. Okay. Have you had any other jobs
2 that you claim to have manufacturing experience?

3 A. No. Because once I did, once I got
4 past that I worked at Fairfield Center for those
5 years, so.

6 Q. Okay.

7 A. And, actually, I applied for different
8 places like manufacturings in between there.

9 THE WITNESS: And can I say this off
10 the record?

11 MR. ROGERS: Do you want to talk to
12 your lawyer?

13 THE WITNESS: Yes. I want to ask her
14 something.

15 MS. DONAHUE: Do you want to talk in
16 private?

17 THE WITNESS: Yes.

18 (Recess taken: 9:30 AM - 9:37 AM.)

19 BY MR. ROGERS:

20 Q. Is there anything that you wanted to
21 add?

22 A. No. The question that we were talking
23 about before.

24 Q. Yes. The question is: What other
25 jobs do you have that you claim to be manufacturing

1 experience? Do you have any others than the ones
2 that you have told us?

3 A. Okay. Is that in between what time or
4 timeframe?

5 Q. Any time during your work career.

6 A. During work history. Period?

7 Q. Any time, yes.

8 A. Well, actually I worked at AK in '81.

9 Q. And that was for the summer. Correct?

10 A. For the summer.

11 Q. So that was for, what, about three or
12 four months?

13 A. Yeah.

14 Q. Have you had any other jobs which you
15 claim to have had manufacturing experience?

16 A. No.

17 Q. Okay. You told us about this episode
18 in Montgomery County with the wallet.

19 A. Right.

20 Q. Approximately when was that?

21 A. 2003 or '4.

22 Q. 2003 or '4. Okay.

23 A. Yeah. I can't remember exactly what
24 year.

25 Q. And the domestic violence situation,

1 you said that was in the '80s. Do you have any
2 better recollection than just '80s?

3 A. Which, actually, when I went through
4 the domestic violence they dropped it, but they just
5 kept that on my record, actually. I don't know how
6 they went about doing it, but it's on there. The
7 person who it was, it wasn't actually domestic, but
8 they had to put it as domestic.

9 Q. Were you convicted of that?

10 A. No.

11 Q. Was it dropped?

12 A. Yes. Actually, I think it was
13 dropped, but when I go down there they always bring
14 that up and say you know, but they say we know that
15 you've been down here for that. Which the person
16 dropped it. Which it was -- that was eighty-- like I
17 said, in the '80s. I guess I can't remember exactly
18 which '80s.

19 Q. Okay. When did you first apply -- let
20 me back up a second. I'm just going to call the
21 company AK Steel. I know that it was called Armco at
22 one point, okay? Let's just call it AK Steel for
23 today, okay?

24 How many times have you applied for
25 employment at AK Steel?

1 A. Just over the years?

2 Q. Yes, sir.

3 A. Well over ten times that I can recall.

4 Q. Okay.

5 A. I mean, that's just a number I did it
6 that I know I have.

7 Q. When were these applications?

8 A. Starting from the summer of '80 when I
9 worked out there the first time that summertime.
10 Then actually I applied right after the summer.

11 Q. Okay.

12 A. And they actually were going to hire
13 me. Then they had that big layoff. Then once they
14 started back up again they had another interview.

15 Q. Okay.

16 A. And then I think that was '83.
17 Somewhere around '83 I think when they started back.

18 Q. All right.

19 A. And just onward through the years that
20 I had applied there.

21 Q. Do you remember any of the years, any
22 of the times?

23 A. I know another year that I applied
24 that they had me come down. It was in the '90s I
25 want to say.

1 Q. Any better -- the '90s would be ten
2 years. Any better you can place that application?

3 A. In between '92 and '93, '94, somewhere
4 around there.

5 Q. Okay. What other applications do you
6 remember making?

7 A. Then after that then just on, just
8 off, just applications like at places like the
9 unemployment office. When they say they taking
10 applications, I would go fill them out.

11 Q. Have you ever been interviewed by
12 someone at AK Steel at the mill? Have you ever had
13 an interview?

14 A. Just any time?

15 Q. Yes, sir.

16 A. In the history?

17 Q. During any time.

18 A. Yes.

19 Q. When were those interviews?

20 A. Like I said, I go back to '81.

21 Q. Right.

22 A. Actually, it was like seven people
23 around the table. They were going to do hiring.
24 They had us in there to hire. And we actually went
25 and sat at a table about like this (indicating).

1 Q. Okay.

2 A. And the guy was -- we had papers that
3 we filled out.

4 Q. All right.

5 A. And they said they were going to call
6 us after that and let us know what's going on. Then
7 they had that layoff.

8 Q. And so they didn't hire you?

9 A. No.

10 Q. To the best of your knowledge, did
11 they hire any of the other people that were around
12 the table?

13 A. Not that I -- not that I can recall.

14 Q. Okay. You said they had seven people
15 around the table. Were these seven people doing the
16 interviewing or seven people applying?

17 A. These were the ones that were going to
18 be hired. Actually, they were trying to make a
19 basketball team, because I was excellent in
20 basketball in Middletown High School. So when I came
21 back from Grambling and Michigan, that's when they
22 were talking about that.

23 Q. All right. But then they had a layoff
24 and so folks were not hired?

25 A. Yes.

1 Q. Have you ever had any other interviews
2 at AK Steel?

3 A. I want to say in that '90 they had me
4 come in for an interview.

5 Q. Was this the one that was '92, '93,
6 '94?

7 A. Yes. Yes. And they told me they
8 would call me and let me know something then.

9 Q. Do you know who you interviewed with?

10 A. Dick Boehm.

11 Q. Did you have any other interviews
12 physically at AK Steel?

13 A. Not physically at AK Steel, but in I
14 think in August of 2001 I applied again. And it was
15 through the Palmer Temps.

16 Q. Was that physically at Palmer?

17 A. Yes. And actually I filled out a
18 whole bunch of their papers that they had me fill
19 out, and then I took a test. Then the guy came in
20 and he had me -- he said he was -- he was through AK.

21 Q. Okay.

22 A. That he worked for AK. And that's
23 actually when I took a test like -- I guess. I don't
24 know if it's an aptitude test.

25 Q. Okay. You were interviewed in August

1 of 2001 at Palmer?

2 A. Yes.

3 Q. This is the Palmer office on Roosevelt
4 Boulevard?

5 A. Yes.

6 Q. That's near the corner of Breiel and
7 Roosevelt?

8 A. Right.

9 Q. Have you been interviewed any other
10 time for a job at AK?

11 A. Not that I can recall, no.

12 Q. You said you took a test in August of
13 2001 at Palmer?

14 A. Yes.

15 Q. How long did it take, did this test
16 take?

17 A. The test?

18 Q. Yes.

19 A. Anywhere from 15 to a half hour.

20 Q. 15 minutes to a half an hour?

21 A. Yes. That's what I can recall.

22 Q. And was this a pencil and paper test,
23 or were you taking it on computer?

24 A. Pencil and paper.

25 Q. Pencil and paper. Was anybody else in

1 the room, or were you the only person being tested?

2 A. I was the only one being tested at the
3 time.

4 Q. How big was the room? Was it a room
5 about the same size as this conference room, bigger,
6 smaller?

7 A. I don't recall how big the room was.

8 Q. Was it on the main floor or in the
9 basement, or do you recall?

10 A. I don't recall. I know the office
11 that I went in when I first talked to him it was
12 something like this. It had a big long desk like
13 this and chairs around it.

14 Q. Have you ever had any other test for
15 AK Steel other than this one that you say you took?

16 A. Just the ones that I took previously,
17 like I told you, back in '81.

18 Q. Other than the 2001, August 2001 test
19 at Palmer and the '81 test have you taken any other
20 test for AK Steel?

21 A. Just like I say, like I said, the one
22 like in '90s when they had me come there. I didn't
23 actually take a test. It was like an interview. I
24 guess that's what you would call it.

25 Q. I'm talking about tests now.

1 A. No.

2 Q. So the only two tests that you took
3 were one in 1981 and then another in August of 2001?

4 A. That I can recall, yes.

5 Q. Okay. Do you recall who you
6 interviewed with at Palmer in August of 2001?

7 A. No. No.

8 Q. Do you recall whether that was Richard
9 Nunlist?

10 A. No. I can't remember names.

11 Q. Okay. It might have been, it might
12 not; you just don't know?

13 A. Yeah. I don't remember names.

14 (Defendant's Exhibit 1
15 was marked for identi-
16 fication.)

17 Q. Mr. Edwards, I've handed you
18 Deposition Exhibit 1. Is this an application that
19 you submitted to Armco or AK Steel on August the 12th
20 of 1989?

21 A. Yes.

22 Q. Is this your handwriting on this form?

23 A. Yes.

24 Q. Is that your signature on the last
25 page of this exhibit?

A. Yes.

1 Q. Did you ever complete an application
2 actually on the property of AK Steel, or did you
3 submit applications only through the unemployment
4 office?

5 A. Actually, like at the unemployment
6 office and places like Palmer Temps.

7 Q. Just are the only --

8 A. Besides in '80 I know -- actually I
9 went on to the site to get the applications.

10 Q. When was that?

11 A. I know in the '90s I went and got --
12 in the '90 I went and tried to get applications. And
13 they told me -- that's when they directed me to the
14 unemployment offices.

15 Q. Did you ever actually get an
16 application at the Middletown Works?

17 A. '81.

18 Q. Other than 1981, did you ever get an
19 application actually from the Middletown Works?

20 A. No.

21 Q. Am I correct that all the other
22 times --

23 A. Not that I recall.

24 MS. DONAHUE: Let him finish.

25 Q. Yes.

1 A. Okay.

2 Q. Am I correct that other than in 1981,
3 the other times you got an application were either
4 from unemployment or from Palmer Temps?

5 A. Yes.

6 Q. Okay.

7 (Defendant's Exhibit 2
8 was marked for identi-
9 fication.)

10 Mr. Edwards, I've handed you
11 Deposition Exhibit 2. Is this a copy of an
12 application you submitted to AK Steel on August the
13 23rd of 1999?

14 A. Yes.

15 Q. Towards the bottom on the first page
16 there's a question that asks whether you have
17 previously applied at Armco or Ak Steel. Do you see
18 that question?

19 A. Yes.

20 Q. And there it indicates that you
21 applied in 1981, 1983, 1992 and 1998. Was that
22 answer correct when you gave it?

23 A. To the best of my knowledge it was,
24 yes.

25 Q. On the third page the question asked
you to list all of your employment experience. Do

1 you see those answers?

2 A. Yes.

3 Q. These were not all of the places that
4 you worked from 1985 through 1999, were they?

5 A. From what -- how long now?

6 Q. Well, I see the bottom job says
7 Middletown Community Center, it says period of
8 employment was November of '85 to October of '97. Do
9 you see that?

10 A. That was just ongoing in between them
11 times. That's why I put that down.

12 Q. Yeah. Am I correct that you did not
13 list all of your employment between 1985 --

14 A. No, I did not.

15 Q. -- to 1999?

16 A. No, I did not.

17 Q. Lenon Hunter. Do you know Lenon
18 Hunter?

19 A. Yes. Well, he's deceased now.

20 Q. Oh, he is deceased now?

21 A. Yes.

22 Q. Sorry to hear that. He was your
23 brother's brother-in-law?

24 A. No. My brother's father-in-law.

25 Q. Your brother's father-in-law.

1 A. Well, let me see. The Junior is --
2 his son is. The son, he has a son named Lenon
3 Junior, which is Lenon Junior. The dad was Senior.

4 Q. Okay. Were both of them employed by
5 AK Steel or only one?

6 A. I can't remember if the dad was
7 employed at AK, but I'm pretty sure he was, but I
8 know Lenon Junior was.

9 Q. One of them owns or owned a store
10 on --

11 A. Yes. That's Junior.

12 Q. That's Junior.

13 A. Yes.

14 Q. The store's on Curtis Street.

15 A. Yes. He don't own that. He's no
16 longer at that store no more.

17 Q. Okay. Did you complete any college
18 hours at Grambling?

19 A. Like I said, I told you I was there
20 like two months, three months. Almost three months.

21 Q. Did you complete any courses?

22 A. No.

23 Q. You dropped out before you completed
24 any courses?

25 A. Like I say, I was trying to transfer

1 to Michigan. Did not -- ended up not going there.

2 (Defendant's Exhibit 3
3 was marked for identi-
4 fication.)

5 Q. Mr. Edwards, you've been handed
6 Deposition Exhibit 3. Is that your handwriting up on
7 the upper left of this form?

8 A. Yes.

9 Q. And this was in the August of 1999
10 package with the employment application you just saw.
11 The answers that were given on this form, were they
12 truthful when you gave them?

13 MS. DONAHUE: Just a second. I want
14 to object as compound.

15 Q. All right. Let's back up then.

16 Mr. Edwards, did you complete this
17 Applicant Survey that we've marked as Deposition
18 Exhibit 3?

19 A. Yes.

20 Q. And the answers that you gave on this
21 form, were they correct when they were given?

22 MS. DONAHUE: Look through it
23 carefully before you answer it.

24 A. Yes. To the best of my knowledge,
25 yes.

1 (Defendant's Exhibit 4
2 was marked for identi-
3 fication.)

4 Q. Mr. Edwards, you've been handed
5 Deposition Exhibit 4. Is this an application that
6 you submitted to AK Steel on August the 28th of 2000?

7 A. That's my handwriting, yes.

8 Q. And is that your signature on the last
9 page of this document?

10 A. Yes.

11 Q. And on the third page the form asks
12 you to list your employment experience. You did not
13 list all of your employment experience on page three,
14 did you?

15 A. No. I only listed probably what I was
16 doing right then and probably thought that would help
17 me get the job.

18 And could I --

19 Q. I'm sorry. Go ahead. Now, you wanted
20 to say something, sir. What did you want to say?

21 A. Can I say something off the record?

22 Q. No.

23 MS. DONAHUE: No. I advise you not to
24 say anything off the record.

25 Q. Is there anything that you wanted to
add on the record?

1 A. No. No.

2 Q. Okay.

3 A. No.

4 (Defendant's Exhibit 5
5 was marked for identi-
6 fication.)

6 Q. Mr. Edwards, you've been handed
7 Deposition Exhibit 5. Is this an Applicant Survey
8 that you completed on August the 28th, 2000?

9 A. Yes.

10 Q. Question number one asks you how many
11 times you've been without employment for more than
12 six weeks. Is it correct that you never have been,
13 as of August the 28th, 2000, that you never had been
14 without employment for more than six weeks?

15 A. Between when now?

16 Q. Between the time you finished high
17 school and August the 28th of 2000. Is it correct
18 that you had never been without employment for more
19 than six weeks?

20 A. No.

21 Q. That was not a correct answer, was it?

22 A. No. Probably when I put that I
23 probably didn't read the question right.

24 Q. Okay. Question number two asks you to
25 list your employers for the last ten years.

1 Fairfield Center was not the only place you worked
2 from 1990 through 2000, was it?

3 A. No, but like I probably just wrote
4 Fiarfield Center. I mean without just filling --
5 just because I was working there.

6 Q. Okay. Item number three asks you
7 whether you ever had been terminated from any
8 employer. And you put no. That answer was not
9 correct, either, was it?

10 A. Yes.

11 Q. Am I correct?

12 A. Yes. Because between -- "Have you
13 ever been terminated from any other employment?"

14 No.

15 Q. That answer was incorrect.

16 A. No.

17 Q. You have not been terminated from
18 employment?

19 A. No. Between --

20 Q. Between 1990 and 2000?

21 A. No.

22 Q. It's only since 2000 that you've been
23 terminated?

24 A. You say since 1990?

25 Q. Through 2000.

1 A. No.

2 Q. So that answer was, in fact, correct?

3 A. Yes.

4 Q. Okay.

5 A. No is what I got. No.

6 Q. The answer no was a correct answer.

7 A. Yes.

8 Q. Okay. Question ten asks you How many
9 years of assembly, heavy machinery, and/or
10 manufacturing experience you have. And you put one
11 year. Where did you get that one year of experience?

12 A. That's probably wrong. That's
13 probably wrong. Like I said, I was -- at the time I
14 was advised to put down something and they said it
15 would get through, so maybe that's why I would put
16 the year down.

17 At that point I was just grasping,
18 trying to get on at AK at any cost.

19 (Defendant's Exhibit 6
20 was marked for identi-
fication.)

21 Q. Please take a moment to read
22 Deposition Exhibit 6, and then I'm going to ask you
23 some questions about it.

24 You've been handed Deposition Exhibit
25 6. Is this a Charge of Discrimination you signed on

1 February the 28th, 2000?

2 A. Yes.

3 Q. And was everything on this charge of
4 discrimination true and correct when you signed it?

5 A. Yes.

6 Q. It states in paragraph number two down
7 towards the bottom that By reason of your background
8 and prior work experience that you were fully
9 qualified for an entry level or laborer position.
10 What background and prior work experience do you
11 maintain gave you that full qualification?

12 A. Just a person in general just work,
13 just working history.

14 Q. The work history that you told us
15 about today?

16 A. Yes. I did things on the side that I
17 haven't had jobs for. I mean, you know, so.

18 Q. I'm asking what you told us about
19 today was the background and prior work experience
20 that you say gave you that qualification?

21 A. Yes.

22 Q. Did you ever receive any response to
23 your application made in August of 1999?

24 A. No. That I recall, no.

25 Q. Paragraph number five says that you

1 believe that AK Steel favors Caucasians over
2 minorities in its hiring policies and practices.

3 A. Where do you see that?

4 Q. On the second page.

5 A. Second page. Okay.

6 Q. Paragraph number five says that you
7 believe that AK Steel favors Caucasians over
8 minorities in its hiring policies and practices and
9 that you believe that you were not hired because AK
10 Steel maintains a pattern and practice of
11 discrimination against minority applicants at its
12 Middletown, Ohio facility. Why did you say that?

13 A. Why did I say it?

14 Q. Yes.

15 A. Because of the fact that the times
16 that I applied at AK. It's been times that I applied
17 that I know that I was the best person for that job.
18 And when they had through the hiring procedures, it
19 wasn't due to the fact that if you had any
20 manufacturing skills at AK. I knew people that came
21 out of high school that couldn't have no
22 manufacturing skills that got hired at AK.

23 Q. Who?

24 A. There was a guy that I can't recall
25 his name. He worked with my wife and he had just got

1 out of high and he had no manufacturing skills. And
2 he was Caucasian.

3 Q. When was that?

4 A. It was in around '99, 2000.

5 Q. Is there anybody else, any other --

6 A. I mean just in general, just from me
7 working out there just knowing, you know what I'm
8 saying?

9 I mean, when I worked out there in '81
10 and then just working out there through the
11 temporary, that place and stuff. Just in general.
12 Just seeing things. And just knowing me being
13 discriminated against, and then other people talking
14 about they been discriminated against.

15 Q. I'm talking about you, sir.

16 A. Me.

17 Q. Why do you believe that AK Steel
18 favors Caucasians over minorities in its hiring
19 policies and practices?

20 A. Then, again, I go back to with Dick
21 Boehm.

22 Q. Yes, sir.

23 A. He told me that I would never work for
24 AK because of my basketball history with Middletown.
25 Middletown was in -- I don't know what kind of thing

1 that they have.

2 Fred Finney told me to go out there.
3 He said that I get you hired. I went through him.
4 And he thought actually I was working there.

5 He seen me one day at the credit
6 union. He said, "How do you like working there?"

7 I said, "I don't work here."

8 He said -- I talked to the head --
9 they called me on a Saturday. We want you to come to
10 a what you call it. That never happened.

11 Q. This was in 1981?

12 A. No. This was in -- I can't -- it's
13 been between '95 and 2000.

14 Q. And --

15 A. But Dick Boehm told me. No, I guess
16 Dick Boehm had retired and you all brought him back
17 to hiring procedures in some kind of way. Then he
18 came back. I don't know how they did it, but he told
19 me I would never work.

20 You know, it just go back to this
21 history on my behalf, my history with Middletown.
22 And I hate to go here with the prejudice in
23 Middletown. Period. So that due to what happened
24 with me. And my brother worked here. His name is
25 Bill Edwards.

1 Q. When did Bill Edwards work at
2 Middletown?

3 A. He worked for security for AK.

4 Q. Is that for Johnson Controls?

5 A. Johnson Controls. And you all had a
6 lawsuit with him. Do you recall that?

7 Q. With Johnson Controls?

8 A. I don't know. Yeah. I think Johnson
9 Control with Brad Fogel and a whole bunch. I don't
10 think Brad got involved in it, but I think the guy,
11 the Palmer guy was in it. I'm just saying just
12 things. I mean, but as far as me, I think I was
13 discriminated against.

14 Q. Why?

15 A. Because just like I said, you know,
16 the guy told me that I would never work there.

17 Q. Dick Boehm told you this?

18 A. Yes.

19 Q. When did he tell you this?

20 A. He told me that after when I kept
21 applying, just continuous kept applying. And every
22 time that somebody that's in a higher position would
23 tell me that, okay, I'm going to get you on, I guess
24 Dick Boehm would throw my name out.

25 Q. When did Dick Boehm tell you this?

1 A. He told me that back in the '80s. In
2 '81 he told me. I can't exactly tell you what exact
3 date, but I can tell you that it was -- I was told
4 that by him.

5 Q. Did he say why?

6 A. I don't know why. Maybe he had a
7 connection through Middletown school systems, high
8 school. Just in general, you know how Middletown's
9 facilities with people and they don't want to be
10 bothered with somebody. They don't want to be
11 bothered. That's the reason why I moved to Hamilton.
12 Trying to get away from Middletown.

13 Q. How many times did Dick Boehm tell you
14 that you would not be hired?

15 A. One personally that I know.

16 Q. Okay. And --

17 A. And then when I thought he wasn't
18 there, that's when I reapplied again.

19 Q. And Dick Boehm told you that.

20 A. And then --

21 Q. Let me finish my question, please.
22 Dick Boehm told you this in --

23 A. Not in so many words, but the way it
24 was said to me.

25 Q. Well, what did he say in so many

1 words?

2 A. I mean, the way he said it, you know,
3 the guys that were hired, to be hired from, they told
4 me that I was -- they actually told me I was already
5 hired, but when it got to him I couldn't go no
6 further.

7 Q. And when was this on the many times
8 that you applied?

9 MS. DONAHUE: Object to the form. Its
10 been asked and answered.

11 Go ahead.

12 A. I can't recall exactly the dates and
13 everything.

14 Q. Well, can you give me a decade?

15 A. This decade.

16 Q. In 2000?

17 A. No. In between the '90s.

18 Q. Somewhere in the '90s?

19 A. No. I take that back. Between '83
20 and on. I can't remember exact date.

21 Q. Well, that's 24 years.

22 A. Right.

23 Q. You can't place it other than just
24 happened sometime in the last 24 years?

25 A. No.

1 Q. Okay. And, again, in so many -- in
2 the best words you can recall, what did Dick Boehm
3 tell you?

4 MS. DONAHUE: Object to the form.

5 Asked and answered.

6 A. That I wouldn't work for AK.

7 Q. And he didn't say why.

8 A. No.

9 Q. Okay. Is there any other reason that
10 you believe that AK Steel favors Caucasians over
11 minorities in its hiring policies and practices?

12 A. Just by statistics. I can't give you
13 no -- I can't give you exact statistics but I know
14 just by statistics.

15 Q. What statistics do you know?

16 A. Just on word of mouth.

17 Q. What word of mouth have you heard?

18 A. Just in general people.

19 Q. What in general people do you believe
20 would suggest that AK Steel favors Caucasians over
21 minorities in its hiring policies and practices?

22 A. I can't say what -- I can't say what,
23 who said it, how they said it, when they said it.

24 Q. Why can't you say?

25 A. Because I don't -- actually, let me

1 see if I can go there.

2 Actually, I worked out -- when I
3 worked out there through the temp, that HI -- HMI. A
4 guy told me to get on. He worked in -- he was
5 Caucasian. And he told me, he said, you're a good
6 worker. He said, I don't know why that you couldn't
7 get on here.

8 Q. Well, the company wasn't hiring hourly
9 workers in 2004.

10 A. No. I understand. I didn't say 2004.

11 Q. You said you worked for --

12 A. I said when I was out there he said
13 that he think that I should be on here, because I
14 talked to him about my history of trying to get on
15 here.

16 Q. This was when you worked for MIH?

17 A. Yes.

18 Q. You said you worked for MIH in the
19 year 2004 or 2005.

20 A. Yes.

21 Q. Is there any other reason that you
22 believe AK Steel favors Caucasians over minorities --

23 A. No.

24 Q. -- in its hiring policies and
25 practices?

1 A. No.

2 MS. DONAHUE: Just wait till he
3 finishes and listen.

4 THE WITNESS: Okay.

5 Q. Is there any other reason why you
6 believe that AK Steel favors Caucasians over
7 minorities in its hiring policies and practices?

8 A. No.

9 (Defendant's Exhibit 7
10 was marked for identification.)

11 Q. I've handed you Deposition Exhibit 7,
12 sir. Is this a Charge of Discrimination that you
13 filed against AK Steel and signed on April the 6th of
14 2000?

15 A. Yes.

16 Q. And was everything on here true when
17 you signed it?

18 A. To the best of my ability that I
19 remember, yes.

20 Q. Mr. Edwards, I have messed up I see.
21 Let me hand you this out of order.

22 MS. DONAHUE: Is this going to be 8?

23 MR. ROGERS: It will.

24 (Defendant's Exhibit 8
25 was marked for identification.)

1 Q. Mr. Edwards, Deposition Exhibit 8, is
2 this an Application For Employment that you submitted
3 to the company on January the 17th of 1988?

4 A. Yes, to by best -- yeah.

5 Q. I'm sorry?

6 A. Yes, it would be.

7 Q. Okay. Is everything on this document
8 correct at the time that you completed it?

9 MS. DONAHUE: Look at the whole
10 document.

11 A. No. It's not all completed I guess.

12 Q. I'm sorry?

13 A. No. Yes. Yes, from to my best
14 knowledge it is, yes.

15 (Defendant's Exhibit 9
16 was marked for identi-
fication.)

17 Q. Mr. Edwards, you've been handed
18 Deposition Exhibit 9. Is this an Affidavit that you
19 completed on April the 6th of 2000?

20 A. Yes.

21 Q. Was everything in this true, to the
22 best of your belief, on the date that you signed it?

23 A. Yes.

24 Q. On the first page down towards the
25 middle of the type-written paragraph there's a

1 reference you see to Lenon Hunter. Do you see that?

2 A. Yes.

3 Q. Lenon Hunter is African American, is
4 he not?

5 A. Yes.

6 Q. And he was hired by the company.
7 Correct?

8 A. Yes.

9 Q. Right below that, two lines down, it
10 says that you were never interviewed or tested as a
11 result of your August 9, 1999 application. Was that
12 correct?

13 A. Yes.

14 Q. Down towards the bottom of page one
15 you reference two white individuals.

16 A. Yes.

17 Q. Jason (last name unknown), and Gary
18 Jones. Do you see that?

19 A. Yes.

20 Q. Do you know what work experience they
21 had at the time they were allegedly hired by the
22 company?

23 A. No.

24 Q. On the second page of this document up
25 at the top it says, "As of March 28, 2000 I have not

1 been contacted in any form by this company regarding
2 a job and I believe that this is because I am Black."

3 Is there any reason that you believe
4 you were not contacted because you were black other
5 than what you've already told us?

6 A. No other reason.

7 (Defendant's Exhibit 10
8 was marked for identi-
 fication.)

9 Q. You've been handed Deposition Exhibit
10 10, Mr. Edwards. I'm going to ask you a number of
11 questions about it. Would you please take the
12 opportunity to review it.

13 Did you have an opportunity to review
14 Deposition Exhibit 10?

15 A. Yes.

16 THE WITNESS: Can I get some water?

17 MR. ROGERS: Absolutely. Yes.

18 Please.

19 THE WITNESS: Okay.

20 Q. Is Deposition Exhibit 10 a Charge of
21 Discrimination, the first page, a Charge of
22 Discrimination that you completed on June 28, 2002?

23 A. Yes.

24 Q. And is that your signature on the last
25 page of this document?

1 A. Yes.

2 Q. And is your signature dated June 28,
3 2002?

4 A. Yes.

5 Q. Who physically prepared this document?

6 A. You mean this whole page?

7 Q. Yes, sir.

8 A. I would say my lawyers. I don't know.

9 Q. But it was your lawyers, or do you
10 know?

11 A. I don't know.

12 Q. You don't know one way or the other?

13 A. No.

14 Q. Did you physically prepare it?

15 A. I gave the statements.

16 Q. You gave statements to whom?

17 A. To my lawyers.

18 Q. And what is the name of the lawyer
19 that you gave the statements to?

20 MS. DONAHUE: Let's just be aware that
21 we don't want to be breaking any kind of
22 attorney-client privilege, but you can
23 answer that question.

24 The name of the lawyer.

25 THE WITNESS: Okay. At the time I

1 gave it to you all, the lawyers in
2 Cincinnati.

3 MS. DONAHUE: Just answer his question
4 the best of your knowledge. It's your
5 knowledge. Not David's.

6 BY MR. ROGERS:

7 A. I think David Sanford.

8 Q. David Sanford?

9 A. Yes. The best of my knowledge, that I
10 can recall.

11 Q. And was this done in person, was this
12 done over the phone, or some other way?

13 A. I don't recall. I think actually once
14 we did it over the phone, once we did it in person.

15 Q. Once was over the phone you say, and
16 then once was in person?

17 A. Yes. If I can recall. I'm thinking,
18 yes.

19 Q. Did you review these many paragraphs
20 on pages two and three before you signed this
21 document?

22 A. Yes.

23 Q. There's a paragraph Roman numeral two
24 on the second page of Deposition Exhibit 10. Do you
25 see that paragraph?

1 A. Yes.

2 Q. The second sentence of paragraph
3 number two says that your January 2002 application
4 was the seventh time you applied. Was that correct?

5 MS. DONAHUE: Object to the form.

6 Mischaracterizes the text here.

7 MR. ROGERS: How did it
8 mischaracterize it?

9 MS. DONAHUE: It says "approximately
10 the seventh time."

11 MR. ROGERS: Okay.

12 BY MR. ROGERS:

13 Q. Well, Mr. Edwards, you stated, under
14 penalty of perjury, that your January 2002
15 application was approximately the seventh time you
16 applied. Was that correct?

17 A. The seventh time within a period of
18 probably from '95 through that time.

19 Q. So it was just from '95 to 2002 you
20 believe it was your seventh?

21 A. That's probably the timeframe that I'm
22 saying that it was in between. Because like I said
23 before, I had applied before years just on from '81.

24 Q. And then you say in the sentences
25 after that your work experience consists of doing

1 manual labor, such as mowing the fields along the
2 sides of Ohio highways for the Ohio Department of
3 Transportation, and that you also worked for 12 years
4 at the Fairfield Center for Mental Retardation as a
5 medical supply clerk delivering the supplies to the
6 different facilities there.

7 Did you believe that that was your
8 most relevant work experience at that time, sir?

9 A. Yes.

10 Q. It also says that you filled out an
11 application at Palmer Temps -- excuse me -- "I filled
12 out an application at Palmer Temp, an organization
13 that handles hiring for AK Steel, and never heard
14 back from either them or AK Steel." Do you see that,
15 sir?

16 A. Yes.

17 Q. And approximately what date were you
18 talking about when you say "I filled out an
19 application at Palmer Temp, an organization that
20 handles hiring for AK Steel"?

21 A. That was in August of -- around that
22 time, August of 2001.

23 Q. Okay. Sir, why do you believe that
24 Palmer Temp was handling applications for AK Steel in
25 August of 2001?

1 A. Because I filled it out there.

2 Q. Filled out what, sir?

3 A. An application.

4 Q. For what?

5 A. For AK Steel.

6 Q. Why do you say that you completed an
7 application for AK Steel at Palmer Temp?

8 MS. DONAHUE: Object to the form.

9 Asked and answered.

10 Q. Why do you say that, sir?

11 A. Because I filled out an application.

12 Q. Physically at Palmer Temp?

13 A. At Palmer Temps.

14 Q. Okay. Now, you say that -- you say
15 that you took an aptitude test at Palmer Temp. Is
16 that correct?

17 A. Yes.

18 Q. And this was the exam that lasted
19 between 15 and 30 minutes?

20 A. Yes.

21 Q. And this was a pen and paper test, you
22 say?

23 A. Yes.

24 Q. And was this test -- this test was a
25 simple math test. Is that correct?

1 A. Math and -- I guess you could say just
2 math and just questions that -- a lot of questions.
3 It was like maybe, I say, from seven to like maybe
4 ten, 15 questions I think.

5 Q. Seven to 15 questions you say.

6 A. Yes. If I can recall. I'm not -- but
7 I'm just -- from what I can remember.

8 Q. Okay.

9 A. And it might not have been 15, but I'm
10 just putting it in between there.

11 Q. Somewhere between seven and 15.

12 A. Yeah. It was the -- I know there was
13 one on there because me and my wife laughed about it.

14 Q. What do you mean you and your wife
15 laughed about it?

16 A. Because I went home and I told her, I
17 said that was simple questions. Then that -- like
18 what I got stated on there. If you had 500 pounds of
19 iron and five pounds of -- the same amount of water,
20 which one would be the heavier? I mean, which one
21 would be -- they both the same. It wouldn't be any
22 difference.

23 Q. Were there different sections of the
24 test or only a single section of the test?

25 A. It was just questions. There wasn't

1 no single. To me, that I recall. It was just one,
2 like, question after question.

3 Q. Were there instructions read before
4 you took this?

5 A. I can't recall.

6 Q. Okay. Did you take the test the same
7 day that you filled out the application in August of
8 2001?

9 A. Yes.

10 Q. Did you ever take any other test at
11 Palmer for AK Steel?

12 A. No.

13 Q. Under paragraph Roman numeral three at
14 the bottom you state that white applicants with fewer
15 qualifications than you have been hired. And have
16 you already told us about those white applicants with
17 fewer qualifications?

18 A. Yes.

19 Q. Below that you state that you have
20 been subjected to a racially hostile application
21 process and other forms of discrimination. Have you
22 told us already about the racially hostile
23 application process and other forms of
24 discrimination?

25 A. Yes.

1 Q. Was there any other way, other than
2 what you've told us, in which you were subjected to a
3 racially hostile application process and other forms
4 of discrimination?

5 A. No.

6 Q. The testimony that you've given us
7 here today, has it been the truth, as best you know
8 it?

9 A. Yes.

10 (Defendant's Exhibit 11
11 was marked for identi-
12 fication.)

13 Q. I've handed you Deposition Exhibit 11,
14 Mr. Edwards. Are these your answers to our first set
15 of interrogatories?

16 A. Yes.

17 Q. And is that your signature several
18 pages from the back dated April the 20th, of 2007
19 where it says Verification?

20 A. Yes.

21 Q. And are the answers given the best --
22 excuse me. Are the answers here the truth, as best
23 you understand them?

24 A. Yes.

25 Q. On the bottom of the page number four
you list a bankruptcy in approximately 1997. Do you

1 see that, sir?

2 A. Yes.

3 Q. And is that the only time that you've
4 declared bankruptcy?

5 A. Yes.

6 Q. Underneath that you say that there's
7 an EEOC charge against the Palmer Group for
8 retaliation for participating in litigation against
9 AK Steel. Do you see that, sir?

10 A. Yes.

11 Q. When was that EEOC charge filed?

12 A. It was this -- it was December of last
13 year, of '06.

14 Q. Of '06?

15 THE WITNESS: It was in December that
16 it came.

17 MS. DONAHUE: You have to answer.

18 THE WITNESS: I know, but I can't
19 remember that date.

20 MR. KAMMER: Right. To the best of
21 your knowledge is how you answer.

22 THE WITNESS: Yeah.

23 BY MR. ROGERS:

24 Q. Why did you file an EEOC charge
25 against Palmer Group for retaliation for

1 participating in litigation against AK Steel?

2 A. Actually, I was asked for the job that
3 I got right now, because they needed help. At
4 Middletown Community Center.

5 Q. Okay.

6 A. And she asked me to go through Palmer
7 Temps.

8 Q. All right.

9 A. Which she already gave me the job.
10 All I had to do was fill out an application through
11 them. And I went to go do that and they told me that
12 I couldn't -- that I couldn't get a job through them.

13 Q. Who's "they" told you?

14 A. Palmer Temps.

15 Q. Who at Palmer?

16 A. Whoever the head guy is. I don't
17 know. He filtered it down through the secretary, the
18 receptionist.

19 Q. And do you know why you were told that
20 you couldn't have the job?

21 A. I don't know what reason, for what
22 reason I couldn't have it.

23 Q. Why do you believe that the Palmer
24 Group was retaliating against you for participating
25 in litigation against AK Steel?

1 A. I guess I just felt like they -- the
2 way that they said it, that they said that I -- it
3 was bad representation. And I told them I never
4 worked for you, so how could I be bad representation.

5 Q. I'm sorry. You said bad what?

6 A. Representation to get a job through
7 them.

8 Q. I'm sorry. Bad representation or bad
9 reputation?

10 A. I don't know. However she said it.
11 They said that it was bed representation for me to
12 work for them through Palmer Temps.

13 Q. I just don't understand your answers.

14 A. I guess I'm saying it wrong. Well,
15 she said that -- the lady, the receptionist. I can't
16 remember her name.

17 Q. This is the Palmer receptionist?

18 A. Yes.

19 Q. Okay.

20 A. She said that the head guy.

21 Q. At Palmer.

22 A. At Palmer Temps.

23 Q. Okay.

24 A. He said that they wouldn't hire me.

25 And I asked them why wouldn't they hire me. And then

1 he said -- he just wasn't going to hire me. I said,
2 "Well, I already got the job. It's not like I'm
3 working," you know.

4 Then he said, "Well, you got to go
5 through us."

6 I'm like, "Well, okay." So then they
7 told me I couldn't get it so I had to go through CVS
8 to get the job, which the City of Middletown goes
9 through Palmer Temps to hire.

10 Q. Okay. Is there any other reason that
11 you believe that Palmer Group retaliated against you
12 for participating in litigation against AK Steel?

13 A. Yes, because they said that I never
14 took a test or I never had an application at Palmer
15 Temps. Period. Which I know I did.

16 Q. Okay. This was the August 2001
17 application?

18 A. Yes. And that was only -- because
19 when I went in there, she said could I have your
20 Social Security number. That would have been the
21 only way my Social Security number would have been on
22 their files. I never went there because I had jobs.
23 I never went through them for nothing.

24 Q. The only AK Steel test that you
25 took --

1 A. And that's the only reason they had my
2 Social Security number.

3 Q. Right.

4 A. So --

5 Q. And the only AK Steel test that you
6 took was at Palmer Temp. Right?

7 A. That I took in August of 2001.

8 Q. Right. That's the only time you ever
9 took any AK Steel test. Right?

10 MS. DONAHUE: Object to the form.
11 That mischaracterizes.

12 A. No.

13 Q. No?

14 A. No. Like I said --

15 MR. KAMMER: 1981.

16 Q. 1981. Excuse me. 1981.

17 A. I was going to say that.

18 Q. Excuse me. That's right. Okay.

19 You took two AK Steel tests, right,
20 one in 1981 and one in August of 2001?

21 A. Yes.

22 Q. And you told us about both of those
23 times. Right?

24 A. Yes.

25 MR. ROGERS: Let me have a few

1 moments, Mr. Edwards.

2 (Recess taken: 10:38 AM - 10:42 AM.)

3 MR. ROGERS: I don't have any further
4 questions for this witness.

5 MS. DONAHUE: Okay. I just have a
6 couple of brief questions.

7 REDIRECT EXAMINATION

8 BY MS. DONAHUE:

9 Q. When you went to Palmer Temp to apply
10 or to fill out the paperwork for your current job, do
11 you recall anything else that they said to you at the
12 time?

13 A. Say they wouldn't be in their best
14 interest to hire me.

15 Q. All right. And who said that it
16 wouldn't be in their best interest to hire you?

17 A. The head guy.

18 Q. Okay. You testified that you spoke to
19 the receptionist?

20 A. Yes.

21 Q. And then also the person you're
22 referring to as the head guy, did he come out of his
23 office and talk to you?

24 A. Yes.

25 Q. And is there anything else that he

1 said?

2 A. Not that I can, no.

3 Q. When you were trying to remember a
4 word in your testimony before, did they say it would
5 be a bad recommendation?

6 A. Yes.

7 Q. Did you take that to mean that they
8 would give you a bad recommendation?

9 MR. ROGERS: Objection. Leading.

10 Q. I'm sorry. How did you understand
11 that?

12 A. I took it as I was -- that I went,
13 like I go back with Dick Boehm, that they would never
14 hire me in Middletown for anything.

15 Q. I see.

16 A. Bad recommendation. They wouldn't
17 give me one even if I didn't have one is how I took
18 it.

19 MS. DONAHUE: Okay. Thank you.

20 That's all.

21 RECROSS-EXAMINATION

22 BY MR. ROGERS:

23 Q. Mr. Edwards, this conversation that
24 you were just talking about with the head guy at
25 Palmer. This was late in the year 2006?

1 A. Right. Yes.

2 MR. ROGERS: Okay. Nothing further.

3 MS. DONAHUE: Okay. Thank you.

4 THE REPORTER: Signature to the
5 deposition?

6 MS. DONAHUE: We'll read and sign.

7

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Donald K. Edwards, Sr.

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(Deposition concluded at 10:45 AM.)

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C E R T I F I C A T E

STATE OF OHIO :
SS:
COUNTY OF HAMILTON :

I, Tracy L. Allen, a duly qualified and commissioned notary public in and for the State of Ohio, do hereby certify that prior to the giving of his deposition, the within named Donald K. Edwards, Sr. was by me first duly sworn to testify the truth; that the foregoing pages constitute a true and correct transcript of testimony given at said time and place by said deponent; that said deposition was taken by me in stenotypy and transcribed under my supervision; that I am neither a relative of nor attorney for any of the parties to this litigation, nor relative of nor employee of any of their counsel, and have no interest whatsoever in the result of this litigation. I further certify that I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28 (D).

IN WITNESS WHEREOF, I hereunto set my hand and official seal of office, at Cincinnati, Ohio, this 1st day of May, 2007.

MY COMMISSION EXPIRES: JULY 29, 2008. TRACY L. ALLEN, RPR
NOTARY PUBLIC, STATE OF OHIO